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Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia

Note verbale dated 13 March 2009 from the Permanent Mission of Japan to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of Japan to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to Security Council resolution 751 (1992) concerning Somalia and has the honour to attach its report pursuant to paragraph 25 of resolution 1844 (2008) on steps taken by the Government of Japan to implement paragraphs 1 to 7 of resolution 1844 (2008) (see annex).

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Annex to the note verbale dated 13 March 2009 from the Permanent Mission of Japan to the United Nations addressed to the Chairman of the Committee

Report to the Security Council Committee established pursuant to Security Council resolution 751 (1992) concerning Somalia

1. Japan's export control legislation and measures in accordance with paragraphs 6 and 7 of Security Council resolution 1844 (arms embargo)

The Government of Japan has been dealing carefully with arms control, in accordance with the three principles on arms exports (hereinafter referred to as "the three principles") and their related policy guidelines in order to avoid any possible aggravation of international conflicts. The three principles have formed Japan's basic policy concerning its arms exports since they were declared at the Diet session in 1967. Arms as referred to in the three principles are defined as goods that are used by military forces and that are directly employed in combat; specifically, the 17 goods listed under item 1 of annexed list 1 of the Export Trade Control Order (see enclosure).

Under the three principles, arms exports to the following countries or regions shall not be permitted:

(a) Communist bloc countries;

(b) Countries subject to arms exports embargo under Security Council resolutions;

(c) Countries involved in or likely to be involved in international conflicts.

In February 1976, at the Diet session, the Government of Japan announced the implementing policy guidelines, which outlined that arms exports to other areas not included in the three principles would also be restrained, in conformity with Japan's position as a peace-loving nation. In other words, the implementing collateral policy guidelines declared that the Government of Japan shall not promote "arms" exports, regardless of the destination.

Japan's export control system is based on the Foreign Exchange and Foreign Trade Law (Law No. 228 of 1948) (hereinafter referred to as the "Foreign Exchange Law"), which provides the general legal framework governing Japan's external transactions, as well as the Export Trade Control Order (Executive Order No. 414 of 1949) (for goods) and the Foreign Exchange Order (Executive Order No. 260 of 1980) (for technologies). In accordance with those regulations, the Government of Japan exercises careful control over exports of all items on the lists attached to the orders by means of a licensing requirement.

Based on the Foreign Exchange Law, the Government of Japan controls the export of goods and technologies that appear under the 17 items described as "subject to control" in the Export Trade Control Order (see enclosure) and the Foreign Exchange Order Attachment List. Goods and technologies described on those lists correspond to the goods and technologies controlled by the four international export control regimes, namely the Wassenaar Arrangement, the Missile Technology Control Regime, the Nuclear Suppliers Group and the Australia Group.

2. **Measures in accordance with paragraphs 1 and 2 of Security Council resolution 1844 (2008) (travel ban)**

In light of the absence of a list of individuals designated by the Committee, the Government of Japan has taken preliminary actions, which are necessary to implement the measures required in the paragraphs of the above-mentioned resolution.

3. **Measures in accordance with paragraphs 3, 4 and 5 of Security Council resolution 1844 (2008) (asset freeze)**

In light of the absence of a list of individuals and entities designated by the Committee, the Government of Japan has taken preliminary actions, which are necessary to implement the measures required in the paragraphs of the above-mentioned resolution.

Enclosure

Arms and arms production-related equipment listed as item 1 of the annexed list 1 of the Export Trade Control Order

1. Firearms, and cartridges to be used thereof (including those to be used for emitting light or smoke), and accessories and parts thereof.

2. Ammunition (excluding cartridges) and equipment for its dropping or launching, and accessories and parts thereof.

3. Explosives (excluding ammunition) and military fuel.

4. Explosive stabilizers.

5. Directed energy weapons and parts thereof.

6. Kinetic energy weapons (excluding firearms) and equipment for their launching, including parts thereof.

7. Military vehicles and accessories and bridges specially designed for military use thereof, including parts thereof.

8. Military vessels and hulls and accessories thereof, including parts thereof.

9. Military aircraft and accessories and parts thereof.

10. Anti-submarine nets, anti-torpedo nets and buoyant electric cable for sweeping magnetic mines.

11. Armour plates and military helmets, including bullet-proof jackets and parts thereof.

12. Military searchlights and control equipment thereof.

13. Bacterial, chemical, and radioactive agents for military use, including equipment and parts thereof for dissemination, protection, detection or identification thereof.

13-2. Chemical mixtures specially formulated for the decontamination of objects contaminated with biological agents and radioactive materials adapted for use in war and chemical warfare agents.

14. Biopolymers for detection and identification of chemical agents for military use and cultures of cells for the production thereof, as well as biocatalysts for decontamination and degradation of chemical agents for military use and expression vectors, viruses or cultures of cells containing the genetic information necessary for the production thereof.

15. Equipment and parts thereof for the production or testing of military explosives.

16. Equipment for the production or testing of arms, including parts and accessories thereof.